

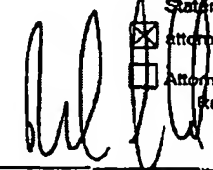
DEC 13 2007

PTO/SB/22 (10-07)

Approved for use through 10/31/2007. OMB 0551-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2006 <small>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4518))</small>		Docket Number (Optional) P-3558-US
In re Application of: WHITT, Michael A. et al.		
Application Number:	10/656,894	
Filed:	September 8, 2003	
Examiner:	Maria Marvich	
Group Art Unit:	1633	
For: RECOMBINANT MUTANTS OF RHABDOVIRUS AND METHODS OF USE THEREOF		
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):		
Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60 \$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$480	\$230 \$ _____
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1050	\$525 \$1050
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1840	\$820 \$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2230	\$1115 \$ _____
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-3355. I have enclosed a duplicate copy of this sheet.		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
I am the <input type="checkbox"/> applicant / inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/06). <input checked="" type="checkbox"/> attorney or agent of record. Registration Number _____ <input type="checkbox"/> Attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		
 Signature	13 December 2007 Date	
Mark S. Cohen Reg. No. 42,425 Typed or printed name	(646) 878-0600 Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input type="checkbox"/> Total of _____ forms are submitted.		

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/14/2007 RREBRAHT 00000002 503355 10656894

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PAGE 3/94 * RCVD AT 12/13/2007 8:53:54 AM [Eastern Standard Time] * SVR:USPTO-EFXXF-15 * DNS:2738300 * CSID:6464175511 * DURATION (mm:ss):23-24

Adjustment date: 01/08/2008 SDIRETA1
 12/14/2007 RREBRAHT 00000017 503355 10656894
 02 FC:1253 1050.00 CR

DEC 13 2007

PTO/SB/31 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) P-3558-US
In re Application of WHITT, Michael A. Et al.		
Application Number 10/656,894		Filed September 8, 2003
For RECOMBINANT MUTANTS OF RHABDOVIRUS AND METHODS OF USE THEREOF		
Group Art Unit 1633	Examiner	Maria Marvich

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated, June 14, 2007, rejecting the following claims: 1-8, 15, 16, 18, 30-37, 42-45, 47, 49, 50, 57-60, 62, 63, 75, 77, 79-86, 89-91.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) **\$ 510**

☐ Applicant is a small entity under 37 CFR 1.9 and 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$

☐ A check in the amount of the fee is enclosed.

☐ Payment is by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3355. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the
☐ applicant.
☐ assignee of record of the entire interest.
☒ attorney or agent of record.
☐ attorney or agent acting under 37 CFR 1.34(a).
 Registration number if acting under 37 CFR 1.34(a).

Pearl Cohen Zedek Latzer, LLP
 1500 Broadway, 12th Floor
 New York, New York 10038
 Tel: (646) 878-0800
 Fax: (646) 878-0801

Signature
 Name: Mark S. Cohen Reg. No. 42,425
 Typed or printed name

December 13, 2007
 Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

2/14/2007 RMEBRAHT 00000003 503355 10656894

1 FC:1401 510.00 DA

Adjustment Date: 01/08/2008 SDIRETA1
 12/14/2007 RMEBRAHT 00000017 503355 10656894
 01 FC:1401 510.00 CR
 02 FC:1253 1050.00 CR

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NO. 668 P. 1/1

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PEARL COHEN ZEDEK LATZER LLP

**FACSIMILE
MAIN OFFICE**

Date: December 24, 2007
Company: Refund Division - United States Patent and Trademark Office
From: Mark S. Cohen
Fax No.: 571-273-6500
of Pages: 1

Message:

Dear Sirs:

REQUEST FOR REFUND FROM DEPOSIT ACCOUNT NUMBER 50-3355

We hereby request a refund for the following fees which were charged to us in error by the United States Patent and Trademark Office.
These fees were charged to our deposit account twice.

Date	Seq	US Serial No.	Docket No.	Fee Code	Amount charged	Amount to be refunded
12/14	21	10656894	P-3558-US	1401	\$510.00	\$510.00
12/14	22	10656894	P-3558-US	1253	\$1,050.00	\$1,050.00
Total:						\$1,560.00

If you have any questions please do not hesitate to contact me on (646) 878-0804.

Yours sincerely,

Mark S. Cohen
Reg. No. 42,425

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